HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.23006 of 2006

Dated:08.11.2006

Between:

Yerramsetti Seetha Ramayya.

…Petitioner

and

The Inspector General of Registration and Stamps and others.

…Respondents

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WRIT PETITION No.23006 of 2006

ORDER:

The petitioner is a member of a registered society known as Association for Promoting Spiritual & Socio Economic Activities, Rajahmundry. The said Association allegedly purchased land admeasuring Acs.103.51 cents in Palacherla Village of Rajanagaram Mandal in R.S.Nos.146, 147, 148, 149, 155, 156, 157, 158, 159, 163, 164, 165, 166, 167, 169/1, 171/1, 171/2, 173, 180, and an extent of Acs.22.23 cents in Velugubanda Village of Rajanagaram Mandal in R.S.Nos.343, 348, 349 and 350/2, and got the layout approved for selling house sites to its members. The petitioner alleges that after the death of the President, Sri N.Seethapati, his son, the fifth respondent herein, is highhandedly entering into sale transactions to sell away the Association property. Therefore, the members of the Association gave a complaint to the fourth respondent duly marking copies thereof to the Superintendent of Police, East Godavari District and the District Registrar of Assurances, East Godavari District, in vain. Therefore, the present Writ Petition is filed.

Except making the allegation that the fifth respondent, who is the son of the erstwhile President, is selling away the Association property, no acceptable evidence is placed before this Court. Therefore, this Court cannot grant any direction to the Registering Authority not to register the sale deeds or protect the land. If there is any encroachment of the property, the Association or its members who have been allotted plots can go to the Civil Court and obtain injunction orders against encroachers as well as order to the Registering

Authority not to register. It shall also be open to the petitioner and other similarly placed persons to approach the Registering Authority and raise all objections at the time of registration of any documents at the behest of the fifth respondent. Except making this observation, no relief can be granted.

The Writ Petition, with the above observation, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

08.11.2006
vs